

SCHEDULE 1

Privacy Notice

The Producer (“we”, “us” or “our”) is committed to safeguarding and protecting your personal data. We are “controller” in respect of your personal data. This Privacy Notice sets out how East Entertainment Media Limited collects and uses your personal data in connection with our programmes.

1. **What personal data is collected:** We may collect and process personal data about you which you provide to us, including personal data contained in this agreement or contained in your Contribution as well as personal data about you that we source from third parties.
2. **Purpose for which your personal data will be used:** Your personal data may be used (a) to produce, promote, distribute and otherwise exploit the Programme in any media formats worldwide; (b) for legal and regulatory compliance obligations (including, without limitation, in respect of health and safety and COVID 19); and (c) to assess your suitability to take part in our programmes.
3. **Legal basis for processing your personal data:** We will only process your personal data if there is a legal basis for doing so. Primarily, we will process your personal data for the purpose of the production, distribution and commercialisation of the Programme in which you are involved. Processing for this purpose is necessary for performance of the contract (this agreement) we have with you. We may also process your personal data for our legitimate business interests (e.g. use of your name, voice and images in respect of the Programme, assessing your suitability to partake in the Programme), where we have obtained your consent or in accordance with your vital interests (e.g. contacting you/your specified contacts in the event of an emergency), or where it is necessary for us to comply with legal or regulatory obligations (e.g. broadcaster requirements or defending claims).
4. **Special category data:** Personal data we collect may include “special category data”, provided to us and/or included as part of your Contribution (being any data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership as well as any data concerning health, sex life and sexual orientation. We treat criminal convictions and offence data in the same way). We may use this in the Programme or for the purposes referred to in this agreement. Where such personal data is required, we will only process this (i) where we have your explicit consent; (ii) where it is necessary for reasons of substantial public interest; (iii) where it is necessary for the purpose of the establishment, exercise or defence of legal claims (including prospective proceedings); (iv) where required under a specific legal obligation; (v) where the processing of your personal data is necessary to protect vital interests; or (vi) where you have manifestly made this information public. Generally we collect your personal data from you directly, although in certain circumstances we may receive personal data about you from other sources, (for example your agent or representative and/or services company). Where we carry out background checks on you (e.g. if required by the broadcaster/commissioner of the production), we may also obtain information about you from publicly available sources and from third parties including background check agencies.
5. **Exemptions:** In certain circumstances we may not have to comply with some aspects of data protection law (including this notice) if we believe that doing so would be ‘incompatible’ with our journalism and/or artistic purposes (i.e., it would stop us from making our programmes), data is being held with a view to publication, and there is a public interest in publication. This is known as the ‘special purposes exemption’. We may process your personal data under the special purposes exemption in connection with our programmes.
6. **Who we disclose your personal data to:** We may share your personal data with co-producers, affiliates, group companies, the commissioner, the broadcaster, distributors, professional advisors and/or financiers in order for us to carry out our rights/obligations under this agreement or for them to process your personal data on our behalf. Therefore, your personal data may be transferred or stored in a jurisdiction where data protection and privacy regulations do not offer the same level of protection as that offered by the UK/EEA (such as group companies in the United States of America). In these cases we shall take reasonable steps to ensure the security and confidentiality of your personal data, by relying on data transfer mechanisms (such as standard contractual clauses) to ensure your information is subject to adequate safeguards in the recipient country. If you are located in the UK or the EEA, you may contact us for a copy of the safeguards which we have put in place.
7. **How long we store your personal data:** We will retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal and accounting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use/disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. Please note, we retain a record of those involved in the Programme for our records and any personal data contained within the final version of the Programme, and any related marketing, will be publicly available on a permanent basis.
8. **Your rights:** Where we rely on ‘consent’ to process your personal data, you have the right to withdraw your consent at any time. You have a number of rights in respect of your personal data, including the right to object to and or restrict our processing of your personal data and the right to request: access to the

personal data that we hold about you; that we correct inaccurate personal data we hold about you; that we delete your personal data; and that we provide your personal data to you in a portable format. Please note however that most of these rights are not absolute and are limited to certain defined circumstances. Accordingly, we may not be able to comply with any such requests that we receive from you. We will handle any request to exercise your rights in accordance with applicable law and any relevant legal exemptions. If you wish to exercise any of these rights please contact us at legalnotices@whisper.tv. If you have concerns about the way in which we have handled your personal data, you should contact us in the first instance. If you are still dissatisfied, you have the right to complain to the Information Commissioner's Office at <https://ico.org.uk/>.